

# THE ROLE OF LATIN AMERICAN COUNTRIES IN THE HUMAN RIGHTS COUNCIL



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## List of Abbreviations

<b>ALBA</b>	Bolivarian Alliance for the Peoples of Our America
<b>CELAC</b>	Community of Latin American and Caribbean States
<b>COI</b>	Commission of Inquiry
<b>EU</b>	European Union
<b>FDI</b>	Foreign Direct Investment
<b>FFM</b>	Fact-Finding Mission
<b>GRULAC</b>	Latin American and the Caribbean Regional Group
<b>ICC</b>	International Criminal Court.
<b>KAS</b>	Konrad-Adenauer-Stiftung.
<b>LAC</b>	Latin American and Caribbean Countries
<b>LMG</b>	Like Minded Group
<b>NAM</b>	Non-Aligned Movement
<b>OAS</b>	Organisation of American States
<b>UN</b>	United Nations
<b>UNASUR</b>	Union of South American Nations
<b>UNCHR</b>	United Nations Commission on Human Rights
<b>UNGA</b>	United Nations General Assembly
<b>UNHRC</b>	United Nations Human Rights Council

## Disclaimer

The following study came to light at the end of 2021. Since then, the world, and most particularly Europe has found itself in a new geopolitical situation which will have long-lasting consequences and will undoubtedly bring about changes in the balance of power. The invasion of Ukraine by Russia has prompted democracies to redefine their global strategy and actions in different scenarios. It is in this new context that the study is being published and may, therefore, reflect throughout its pages a slightly different picture from the one we see today.

## 1. Introduction

The role of the Latin American and the Caribbean (LAC) countries at the United Nations Human Rights Council (UNHRC) is key to advance the promotion and protection actions in countries with low human rights standards or no human rights protection, in accordance with the Council's mandate. Among other things, LAC countries votes have been instrumental to passing initiatives promoted under the leadership of the European Union (EU) and its member states. Yet, there seems to be an emergence of elements that could lead to changes in this vote composition, and therefore in the capacity to ensure the appropriate functioning of the Council to fulfil its mandate. The Multilateral Dialogue Konrad Adenauer Stiftung (KAS) Geneva has identified this trend and commissioned the following research to better grasp the underlying clockworks of such developments, with a view to further engage with Geneva-based actors in the protection and promotion of human rights.

This paper analyses the role of the Latin American and the Caribbean regional group (GRULAC) at the UNHRC. To do that, it seeks to identify patterns used by governments that have been in partnership or alliance with what, for the purposes of this paper, will be called "21<sup>st</sup> Century Socialism". Second, it will describe elements that, put together, can provide a clearer picture of the effects of the geopolitical context in the dynamics taking place at the Council, including coalitions with other like-minded members and votes against tabled, co-sponsored, or supported resolutions by the EU. Finally, the paper will provide insights into findings and recommendations.

The article will be structured in four sections. The first one describes the context in two areas relevant to this work: a) The emergence of 21<sup>st</sup> Century Socialism and its partnerships, including its extra-regional ties and its impact on Latin America's geopolitical reality; and b) how the UNHRC operates, its mandate and composition, together with the criteria to select its members.

The second section identifies past, present, and future UNHRC members and delves into the possible reasons behind some of these memberships.

The third section analyses the vote for resolutions promoted or supported by the EU and its member states. It will seek to identify any existing voting pattern and compare the general trend to the voting results on resolutions promoted by the Non-Aligned Movement (NAM) or similar informal "Global South" alliances, including the Like-Minded Group (LMG).<sup>1</sup> This section will also provide insights into the rationale behind the votes to identify a broader narrative.

The fourth section offers concluding remarks and recommendations for action in relevant Latin American capitals, as well as other key actors around the world.

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<sup>1</sup> The "Like-Minded Group" is an informal grouping of States in the UN Human Rights Council from the times of the Commission of Human Rights, that was relaunched in 2013 after several members left the Council. They coordinate their activities in the Council, deliver joint-statements and co-sponsor resolutions. China, Russia, Pakistan, Cuba and Egypt are among its most prominent members. See The Human Rights Council: A Practical Guide (2015) by the Permanent Mission of Switzerland to the United Nations Office and Other International Organisations in Geneva. <https://www.eda.admin.ch/eda/en/home/dienstleistungen-publikationen/publikationen/alle-publikationen.html/publikationen/en/eda/internationale-organisationen/uno/human-rights-council-practical-guide>

## 2. Context

### 2.1. 21<sup>st</sup> Century Socialism

While it presents itself as a left-of-the-centre ideology, 21<sup>st</sup> Century Socialism is not to be equated with the traditional Latin American democratic left but a conglomerate of non-democratic tendencies which have weakened or dismantled the rule of law and democratic institutions in the respective countries. Although it reaches power through democratic means, it is marked by corruption and autocracy. Building on postulates from Cold War ideologies and North-South rhetoric, 21<sup>st</sup> Century Socialism started as a mix of political parties and social movements and has evolved into an alliance among states, irregular armed groups, corporate businesses, and individuals carrying out illicit activities that go from extraction to trafficking to organised crime.<sup>2</sup>

21<sup>st</sup> Century Socialism has been present for more than 20 years. In the past, the Kirchner governments in Argentina, Lula Da Silva in Brazil, Tabaré Vázquez in Uruguay and Rafael Correa in Ecuador all coordinated with Bolivia, Cuba, Nicaragua and Venezuela through different regional intergovernmental bodies, namely, the Bolivarian Alliance for the Peoples of Our America (ALBA), the Union of South American Nations (UNASUR), the Sao Paulo Forum, and to a certain extent, the Organisation of American States (OAS) and the United Nations (UN). As governments come and go, 21<sup>st</sup> Century Socialism changes too. In recent years, new additions like Mexico in 2018, Argentina in 2019, Peru in 2021 have become associated with the loose alliance, while if Lula Da Silva wins the election again in 2022, Brazil will make a return to it.

More broadly, the alliance develops relationships with other extra-regional partners, both through financial means and diplomatic action, creating a network to advance the interests of its members and promote its ideology. Belarus, Turkey, Syria, Iran, Russia, and China are widely present in 21<sup>st</sup> Century Socialism countries through trade deals, international cooperation with smaller countries, foreign direct investment (FDI), and financial support in the form of acquisitions and credits to the extractive industries (oil, gas, uranium, coltan, gold, lithium) and transport and telecommunication services.<sup>3</sup>

Of all those extra-regional partners, China has developed the strongest commercial ties throughout the region over the past twenty years. 10.4% of the region's total exports go to China, a significant growth from the approximately 2% it accounted for in year 2000. In contrast, exports destined to the US, have decreased from 56% at the beginning

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<sup>2</sup> Runrun. 'Chavializados archivos'. Accessed 28 September 2021 <https://runrun.es/tag/chavializados/>; and 'Chavismo's Ideological Brothers A Liaison That Will Only Endure until the Business Breaks Down'. Accessed 16 October 2021 <https://alianza.shorthandstories.com/Chavismo-s-ideological-brothers/>.

<sup>3</sup> Ibid. Chavismo Inc. 'Chavismo Inc', <https://chavismoinc.com/>, Accessed 28 September 2021. In addition, several sources were consulted for discussion and refer to diplomatic and commercial efforts as part of a broader geopolitical strategy that include gold exports, military cooperation and investments in TV channels. 'US Government Plans More Sanctions Targeting Venezuelan Gold Exports – SOS Orinoco'. Accessed 13 October 2021. <https://sosorinoco.org/en/facts/illicit-business/us-government-plans-more-sanctions-targeting-venezuelan-gold-exports/>, Transparency Venezuela, <https://transparencia.org.ve/>, Interamerican Institute for Democracy, <https://www.intdemocratic.org>, Cámara de Industrias de Nicaragua <https://www.cadin.org.ni>.

of the century to only 13% in 2020.<sup>4</sup> In bigger countries like Brazil, China has replaced the US as its largest trading partner, receiving over a third of Brazil's total exports, mainly agricultural and commodities.<sup>5</sup> For Argentina too, China has become a major trading partner sometimes above Mercosur and Brazil. In the case of Mexico, bilateral trade with the US continues to be the most relevant, yet the China-Mexico trade balance is growing at a faster rate since the beginning of the century nearing 10%.<sup>6</sup>

And while the US and Spain remain the largest FDI providers, Chinese FDI has recently increased throughout the region and diversified to sectors like telecommunications, commodities, energy and infrastructure.<sup>7</sup> In addition, an increase in loans by the Chinese Development Bank and Import-Export Bank to Venezuela, Brazil, Ecuador and Argentina account for US\$ 137 billion.<sup>8</sup> China is the largest lender to Venezuela amounting to around US\$ 60 billion, and China National Petroleum Corp is considering investing in PDVSA, Venezuela's oil company, to boost decreasing oil production.<sup>9</sup>

China's demand for commodities is therefore combined with financial loans and credits, and FDI mainly from Chinese state companies.<sup>10</sup> The strategy is to ensure its future commodities markets while curtailing investment restrictions in Europe and the US due to political and regulatory considerations, or in the case of Venezuela, international sanctions.

Together with trade and financial diplomacy, China's vaccine diplomacy during the COVID-19 pandemic has also paid off. The whole region has deepened its relationship with China, as it emerged as a lifesaving vaccine provider.

On the political side, China presents itself as seeking partnerships and not dominance, prioritising relationships with the "Global South", based on solidarity and mutual respect.<sup>11</sup> China's approach can be interpreted as customised to its counterpart, it can be merely commercial, or it can create political alliances that can shift the established post-Cold War world order. For many in the region, a close relationship with China may be a game-changer that defies or redefines its relationship with the US and the EU in the search for international autonomy. This includes coordination at the UN –

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<sup>4</sup> Despite a great coincidence on the growth of China's presence in the region, there are many differing figures among organisations, universities and think-tanks. See Ríos, Germán 'Las cambiantes relaciones entre China y América Latina'. Accessed 1 December 2021. <https://www.americaeconomia.com/analisis-opinion/las-cambiantes-relaciones-entre-china-y-america-latina> and World Economic Forum. 'China's Trade with Latin America Is Bound to Keep Growing. Here's Why That Matters'. Accessed 13 December 2021. <https://www.weforum.org/agenda/2021/06/china-trade-latin-america-caribbean/>.

<sup>5</sup> Sweigart, Emilie, Gabriel Cohen | October 19, and 2021. 'Brazil's Evolving Relationship with China'. Americas Quarterly (blog). Accessed 28 November 2021. <https://www.americasquarterly.org/article/brazils-evolving-relationship-with-china/>.

<sup>6</sup> September 28, Amb Martha Bárcena Coqui | and 2021. 'Why Mexico's Relationship with China Is So Complicated'. Americas Quarterly (blog). Accessed 28 November 2021.

<sup>7</sup> 'Chinese Investment in Latin America: Sectoral Complementarity and the Impact of China's Rebalancing'. Accessed 19 September 2021. <https://www.imf.org/en/Publications/WP/Issues/2021/06/07/Chinese-Investment-in-Latin-America-Sectoral-Complementarity-and-the-Impact-of-Chinas-50217>.

<sup>8</sup> Ibid, Ríos, Germán.

<sup>9</sup> Zerpa, Fabiola. 'China's Top Oil Producer Prepares to Revive Venezuela Operations'. Bloomberg.Com, 1 September 2021. <https://www.bloomberg.com/news/articles/2021-09-01/china-s-top-oil-producer-prepares-to-revive-venezuela-operations>

<sup>10</sup> Prazeres, Tatiana, Bohl, David, and Zhang, Pepe. 'China-LAC Trade: Four Scenarios in 2035'. Atlantic Council (blog), 12 May 2021. <https://www.atlanticcouncil.org/in-depth-research-reports/china-lac-trade-four-scenarios-in-2035/>.

<sup>11</sup> Trinkunas, Harold. 'Testing the Limits of China and Brazil's Partnership'. Brookings (blog), 20 July 2020. <https://www.brookings.edu/articles/testing-the-limits-of-china-and-brazils-partnership/> and Ríos, Germán, op.cit.

and the UNHRC – as will be analysed in greater detail throughout this document, and can be seen in the following example:

- In 2019, during the open-ended negotiations on the Lima Group’s draft resolution on Venezuela, China, Russia, Syria, and North Korea, together with Cuba, Mexico, and Uruguay, tried to block and later dilute the mandate contained in it to create a Commission of Inquiry (COI) – the independent international instrument proposed by the Group – to investigate serious human rights violations that could amount to crimes against humanity. While some proposals were taken on board, the attempt to altogether block the creation of a COI did not work.
- Venezuela and its allies then sought a different strategy to undermine the effort via the EU's support of the draft resolution. Reportedly, Venezuela’s closer allies inside the bloc, – Italy and Spain – openly opposed the creation of the COI during the joint Lima Group-EU bilateral meetings. The EU’s support was conditioned to a more moderate resolution. As a result, the negotiation process reached an impasse between the two blocs. The Lima Group, in particular Argentina, Brazil and Colombia, had been pushing for the creation of this particular investigation mechanism, perceived by them as the highest instrument of examination created by the UN system to respond to serious violations of international human rights and humanitarian laws, and were not ready to lower the level of ambition.
- The EU, on the other hand, did not want its member states to vote separately nor could it agree as a bloc to the text as drafted. At this stage, the risk of having no resolution was high – coinciding with Venezuela and its allies’ objectives. It was hence necessary to engage further in negotiations. Discussions took place on a smaller scale, until both blocs accepted an international independent investigation mechanism with the necessary elements in it.<sup>12</sup> The proposed (COI) was replaced by a Fact-Finding Mission (FFM) with a robust mandate, and agreement was finally reached<sup>13</sup> maintaining both blocs’ support to the draft resolution. And while both mechanisms are similar<sup>14</sup> and its objectives greatly depend on their mandate, an FFM was politically perceived as an intermediate solution by those European member states that had opposed the COI.

The example above shows that coordination among the 21<sup>st</sup> Century Socialism countries and its international partners has deep roots, and multilaterally, the alliance coordinated efforts can affect the work of the UNHRC. As will be demonstrated, the very

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<sup>12</sup> Uzcátegui, Rafael, 'Misión de la ONU y la política del "todo o nada" | PROVEA'. PROVEA (blog). Accessed 28 September 2021. <https://provea.org/opinion/mision-de-la-onu-y-la-politica-del-todo-o-nada-2/>.

<sup>13</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/299/69/PDF/G1929969.pdf?OpenElement>.

<sup>14</sup> 'COMMISSIONS OF INQUIRY AND FACT-FINDING MISSIONS ON INTERNATIONAL HUMAN RIGHTS AND HUMANITARIAN LAW'. Koninklijke Brill NV. Accessed 29 October 2021. [https://doi.org/10.1163/2210-7975\\_HRD-9846-2015002](https://doi.org/10.1163/2210-7975_HRD-9846-2015002).

structure of the intergovernmental body helps the perpetuation and expansion of the problem, as it did with its predecessor, the Commission on Human Rights (UNCHR). Its political nature – then and now – hinders the possibilities of fulfilling its technical mandate.

## 2.2. The UN Human Rights Council

The UNHRC was created in March 2006 by the UN General Assembly (UNGA) through resolution 60/251<sup>15</sup> to replace the UNCHR. Just as its predecessor, the UNHRC is the universal intergovernmental forum where UN members debate and agree on global actions to promote and protect all human rights and fundamental freedoms around the world. As a cornerstone of human rights diplomacy, its work intersects with other global challenges, including gross and systematic violations of human rights that may account for war crimes or crimes against humanity.

The UNHRC comprises 47 members, elected by the UNGA directly through secret ballot. The system's universal geographic distribution and country rotation criteria are taken into account when selecting the candidates. Yet, resolution 60/251 establishes that the UNGA will consider the candidate-state's contribution to promoting and protecting human rights and its commitment to uphold the highest standards in this matter.<sup>16</sup>

Delegations at the UNGA agreed that Council members should serve for a three-year term and will not be eligible for immediate re-election after two consecutive terms according to the following distribution:

Group of African states: 13

Group of Asian states: 13

Group of Eastern European states: 6

Group of Latin American and the Caribbean states: 8

Group of Western European and Other states: 7

As with other UN instruments, resolution 60/251 includes a provision to suspend membership rights to any Council member who commits gross and systematic human rights violations. With 15 years of existence, it is possible to identify the surfacing flaws at the UNHRC despite the membership provisions set out in resolution 60/251. For example, until 2021, the only Council member that had been suspended because of its low human rights standards had been Libya<sup>17</sup> in 2011 and only recently joined by Russia after the slaughter perpetrated in Bucha, Ukraine.<sup>18</sup> In 2011 – and certainly more

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<sup>15</sup> A/RES/60/251 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N05/502/66/PDF/N0550266.pdf?OpenElement>.

<sup>16</sup> Ibid.

<sup>17</sup> General Assembly Resolution 65/265, Suspension of the rights of membership of the Libyan Arab Jamahiriya in the Human Rights Council, A/RES/65/265, available from <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20A%20RES%2065%20265.pdf>

<sup>18</sup> United Nations General Assembly Resolution ES-11/3, Suspension of the rights of membership of the Russian Federation in the Human Rights Council, A/RES/ES-11/3, available from <https://digitallibrary.un.org/record/3967778>.

recently after the vote to suspend Russia – other authoritarian regimes may have taken measures to prevent a similar situation, but the problem may be at a deeper level, as previously pointed out.

Regional groups submit Council member candidates that the rest of the UN member states will later elect with little or no questioning. Unfortunately, this practice has allowed candidates with dubious profiles to gain a seat at the Council, creating a haven for authoritarian governments like for example Libya, elected in 2010 by 155 votes.<sup>19</sup> In turn, the continuing presence of non-democratic Council members – according to some studies<sup>20</sup> – impacts the capacity of the Council to uphold the agreed election criteria and affects the credibility and smooth workings of the UNHRC. It also makes it more difficult to hold perpetrators to account and effectively protect victims in rogue states.

By electing members who do not maintain the expected human rights standards, it allows them to adopt in appearance innocuous resolutions, instruments, or create new subsidiary bodies and mandates, that are in fact aligned with a common global ideological agenda, thus overstressing resources and hampering proper protection and promotion of human rights. For example, this was the case for two special procedures mandate holders promoted by the “Global South” and in particular, the LMG. For some human rights specialists,<sup>21</sup> the "Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights" and the "Independent Expert on the promotion of a democratic and international equitable order" are political tools often used to divert attention from a country under scrutiny to accept the international presence in its territory. Reportedly, it is no coincidence that Special Rapporteurs Alfred De Zayas and Alena Douhan visited Venezuela following official invitations – the only two granted out of more than 18 requests to visit the country. The visits took place soon after the 2017 report published by High Commissioner Zeid Al Hussein, and a few months before the 2020 report by the Independent FFM. The visits' reports hailed the Maduro government while condemning sanctions and blaming Venezuela's problems on international foes' campaigns against the country.<sup>22</sup>

Last, perhaps a systemic weakness when creating the UNHRC was to continue running the election of candidates to the Council through the UNGA in New York. As a subsidiary organ, the UNHRC election process is part of a broader exchange of votes for high-level positions at UNGA, far from the dynamics in Geneva and the diplomatic human rights experts who have a better understanding of each country's human rights

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<sup>19</sup> 'LIBYA ELECTED TO UN HUMAN RIGHTS COUNCIL – NHRC'. Accessed 13 October 2021. <https://nhrc-qa.org/en/libya-elected-to-un-human-rights-council/>.

<sup>20</sup> Freedom House index on democracy 'Countries and Territories'. Accessed 28 September 2021. <https://freedomhouse.org/countries/nations-transit/scores> and 'UN Watch Database'. Accessed 28 September 2021. <https://unwatch.org/database/>.

<sup>21</sup> When discussing about these special procedure mandates and their mandate holders with different NGOs and HR experts, three aspects invariably come up: i. they were promoted by Cuba, Russia, China and other NAM countries and opposed by EU, US, CH, among others (see resolutions 18/6 and 27/21: <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/G11/166/26/PDF/G1116626.pdf?OpenElement> and <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/179/07/PDF/G1417907.pdf?OpenElement>); ii. they are not considered part of the core human rights special procedures (thematic civil and political rights); and iii. they are considered to be used as a political tool

<sup>22</sup> OHCHR | Preliminary Findings of the Visit to the Bolivarian Republic of Venezuela by the Special Rapporteur on the Negative Impact of Unilateral Coercive Measures on the Enjoyment of Human Rights'. Accessed 28 September 2021. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26747>

records. Unlike several UN specialised agencies and other Geneva-based international organisations – whose election processes take place within the organisation itself – by voting in New York the focus is placed on the political quid pro quo and not on the candidates’ suitability.

### 3. Latin American and Caribbean Membership composition and its behaviour

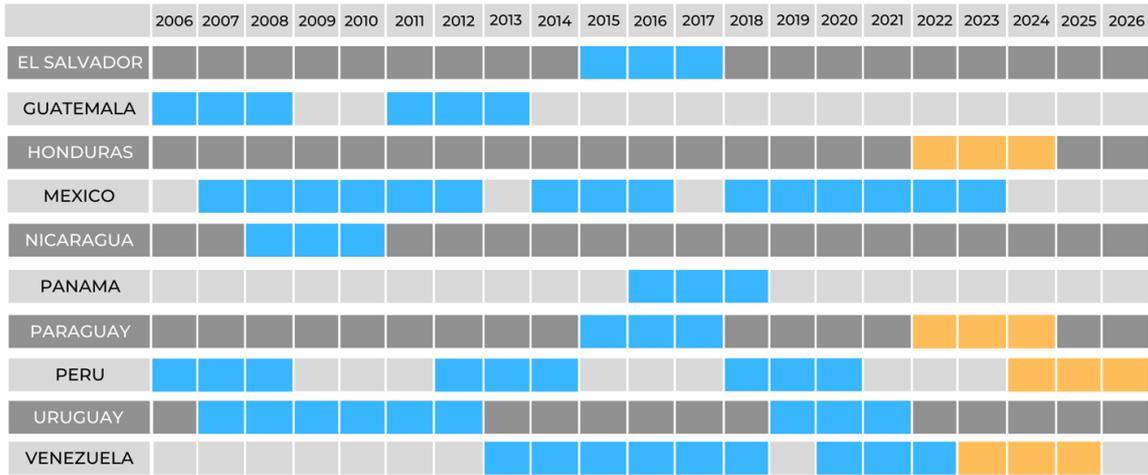
GRULAC is the UN regional group responsible for tabling candidates from Latin America and the Caribbean. As described in the previous section, all states can put forward their candidacies to be a member of the UNHRC. Yet, just as in other UN bodies, larger member states carrying more international weight have a better negotiating capacity to gain a seat over smaller or even mid-sized countries. Consequently, it is not surprising that some GRULAC members like Argentina, Brazil and Mexico have occupied a seat for the longest time since the establishment of the UNHRC.

However, one other country, Cuba, has been a Council member for an equivalent period without sharing the economic weight nor having the international influence of the larger ones.

The table below shows the GRULAC’s Council composition for the past 15 years and candidates for the next five years. It provides several clues on regional dynamics, leverage capacity, and in some cases, domestic politics.

**UNHRC MEMBERSHIP & CANDIDATES 2006 - 2026**

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
ARGENTINA	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
BAHAMAS																					
BOLIVIA				█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
BRAZIL		█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
COSTA RICA																					
CUBA		█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
CHILE				█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
DOMINICAN REPUBLIC																					
ECUADOR	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█



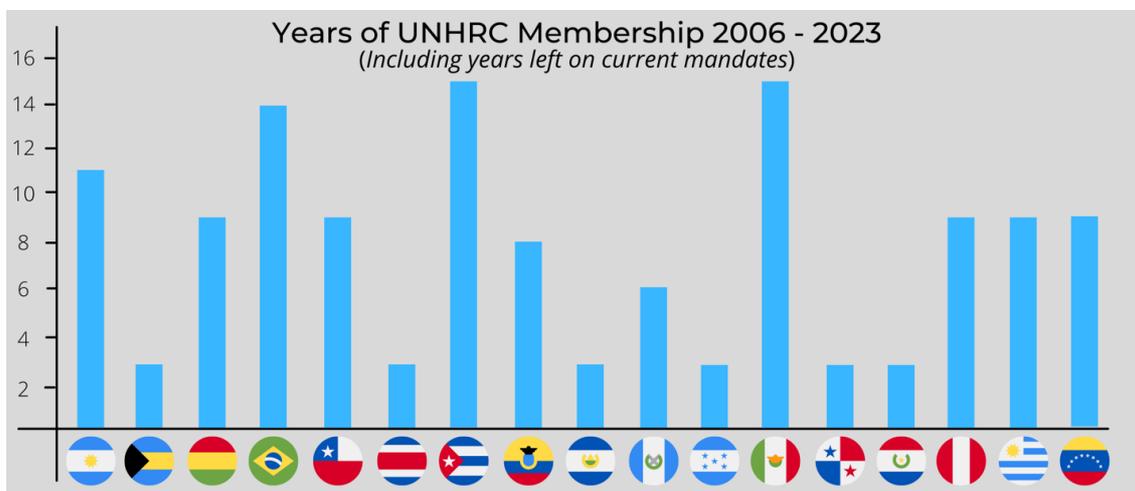
Years as a member of the UNHRC, including remaining years of current mandates.

Years in which candidate countries would be members if elected

Source: <https://www.ohchr.org/EN/HRBodies/HRC/Pages/PastMembers.aspx> and discussions with delegates.

As described, some countries have been Council members more often than the rest. Below are a few additional remarks about the GRULAC composition:

- Only 17 countries have been elected out of the region’s 33 members.
- Argentina has been sitting for a total of 11 years, and Brazil, Cuba, and Mexico, for 13 years.
- In contrast, smaller countries like Bahamas, Costa Rica, El Salvador, Panama, and even Nicaragua, have only earned a seat once.
- Some, like Colombia, Honduras, the Dominican Republic or smaller Caribbean countries, have never been a member of the UNHRC
- Cuba seems to be the exception to this big/small unwritten rule.
- Cuba seems to be the only Council member that has succeeded in maintaining a clear pattern of 3+3 years + 1-year break; 3+3+1; which, as far as can be identified by the data, may soon be followed by Venezuela.



Source: <https://www.ohchr.org/EN/HRBodies/HRC/Pages/PastMembers.aspx>  
 This graph has been designed using resources from Flaticon.com

Another feature worth highlighting is the region's repressive governments' presence at the Council when they have a clear domestic agenda:

- Nicaragua was elected for the 2007-2009 term, coinciding with the return of the Sandinista Revolution to office in 2006. In the words of Daniel Ortega, this was the beginning of the second phase. That is, closer economic and political ties with the government of Hugo Chavez and the regional coordination mechanism through ALBA while internally carrying out a rapid erosion of what was an already fragile democracy.<sup>23</sup>
- In the case of Venezuela, it is a striking coincidence that it was elected for the first time in 2013, the year Hugo Chavez died and was replaced by his until then Vice-President, Nicolas Maduro. From the outset, it was clear that Maduro's government would deepen the revolutionary project through further erosion of the political and civil rights space. A year after its election to the UNHRC, the Maduro government heavily and lethally repressed student protests that took place between January and March 2014. The fact that Venezuela was a member of the UNHRC helped its government deter the few voices raised against Venezuela in the following session. The government's repression, arbitrary detentions, torture and assassinations at the hands of state security forces were, in a way, immune from international scrutiny as a result of Venezuela's election to the UNHRC.

Similarly, other members of the 21<sup>st</sup> Century Socialism like Rafael Correa's Ecuador and Evo Morales' Bolivia sought a seat at the UNHRC after their election. As a result, both governments could vote against any initiative that raised concerns about human rights violations and deterioration of fundamental freedoms in their countries and their partners, Cuba, and Venezuela.

Bolivia was elected again as a Council member in 2021 following the victory of Luis Arce in 2020. Although it was probably a seat sought by the previous government, it has coordinated in the Council room with Venezuela and Cuba, as will be discussed in the next section of this article.

One last comment on GRULAC's membership has to do with the voting of candidates. Loose coordination amongst countries other than 21<sup>st</sup> Century Socialism allies makes it more challenging to ensure seats at the Council. For instance, despite Paraguay tabling a coordinated proposal against the Venezuelan dictatorship in 2017, it could not secure a second term at the Council. More recently, Costa Rica, a member of the Lima Group, submitted its candidature to block the election of Venezuela in 2019 but found little support from other group members, namely because Brazil expressed fears of being left out of the Council with that last-minute move. Moreover, when discussing Venezuela's candidature with the EU delegation in Geneva, the European representative

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<sup>23</sup> Pérez-Baltodano, Andrés. 'NICARAGUA: SE CONSOLIDA EL ESTADO POR DERECHO (Y SE DEBILITA EL ESTADO DE DERECHO)'. *Revista de Ciencia Política* (Santiago) 30, no. 2 (2010): 397-418. <https://doi.org/10.4067/S0718-090X2010000200012>.

expressed that the decision to be presented as candidate pertained solely to the GRULAC and that the EU would vote for whomever the regional group submitted as its candidates. This year’s UNGA session elected Argentina, Honduras, and Paraguay. Ecuador could not secure enough support and withdrew from the race.

### 4. LAC Voting at the UNHRC

This section will tackle four areas: 1) voting patterns for and against resolutions tabled, co-sponsored or supported by the EU; 2) voting rationale by those voting against, 3) voting patterns for or against the NAM or members of the “Global South” resolutions where the EU votes “No”, and 4) the participation of LMG and voting patterns of a subset of resolutions tabled by China on behalf of the LMG.

The EU and its member states are traditionally very active at the UNHRC. Whether submitting resolutions in bloc or participating in larger coalitions, human rights defenders, civil society at large, and smaller democracies will look upon the EU and its member states to protect and promote human rights. Thanks to its composition and founding values, the bloc may be perceived as a gatekeeper rather than a geopolitical power. On the other hand, its internal decision-making process can also result in lukewarm positions and loose coordination with potential allies. Either way, the EU has a pivotal role and can benefit from increased support when pursuing its objectives in the Council room.

#### 4.1. Voting records sponsored or supported by the EU

The following chart gathers the voting results from the 44<sup>th</sup> to the 47<sup>th</sup> regular UNHRC sessions to seek any given pattern in favour or against the EU promoted resolutions and determine whether there is room for improvement in results.

VOTING RECORDS - 44th TO 47th SESSION  
Resolutions tabled, co-sponsored or supported by the EU Member States

SESSION	RESOLUTION	ARGENTINA	BAHAMAS	BOLIVIA	BRAZIL	CUBA	CHILE	MEXICO	PERU	URUGUAY	VENEZUELA
47th	A/HRC/RES/47/2 HR in Eritrea 21 - 13 - 13	YES	YES	NO	YES	NO		YES		YES	NO
June - July 2021	A/HRC/RES/47/13 HR in Tigray 20 - 13 - 14	YES	YES	NO	YES	NO		YES		YES	NO
	A/HRC/RES/47/16 HR on the Internet 43 - 0 - 4	YES	YES	YES	YES	YES		YES		YES	ABST
	A/HRC/RES/47/18 HR in Syria 26 - 15 - 6	YES	YES	NO	YES	NO		YES		YES	NO
	A/HRC/RES/47/19 HR in Belarus 21 - 19 - 7	YES	YES	NO	YES	NO		YES		YES	NO
	A/HRC/RES/47/22 Coop. with Ukraine 26 - 15 - 6	ABST	YES	NO	ABST	NO		YES		ABST	NO

46th	A/HRC/RES/46/1 HR in Sri Lanka 22 - 11 - 14	YES	YES	NO	YES	NO		YES		YES	NO
Feb - Mar 2021	A/HRC/RES/46/2 HR in Nicaragua 20 - 8 - 18	YES	YES	NO	YES	NO		YES		YES	NO
	A/HRC/RES/46/18 HR in Iran 21 - 12 - 14	YES	YES	NO	ABST	NO		YES		ABST	NO
	A/HRC/RES/46/20 HR in Belarus 20 - 7 - 20	YES	YES	NO	YES	NO		YES		YES	NO
	A/HRC/RES/46/22 HR in Syria 27 - 6 - 14	YES	YES	NO	YES	NO		YES		YES	NO
	A/HRC/RES/46/23 Assist. for S. Sudan 20 - 16 - 11	YES	YES	NO	ABST	NO		YES		YES	NO
45th	A/HRC/RES/45/1 HR in Belarus 23 - 2 - 22	YES	ABST		YES		YES	YES	YES	YES	NO
Sept - Oct 2020	A/HRC/RES/45/15 HR in Yemen 22 - 12 - 12	YES	YES		YES		YES	YES	YES	YES	NO
	A/HRC/RES/45/19 HR in Burundi 24 - 6 - 17	YES	YES		YES		YES	YES	YES	YES	NO
	A/HRC/RES/45/20 HR in Venezuela 22 - 3 - 22	YES	YES		YES		YES	ABST	YES	YES	NO
	A/HRC/RES/45/21 HR in Syria 27 - 1 - 19	YES	YES		YES		YES	YES	YES	YES	NO
44th	A/HRC/RES/44/1 HR in Eritrea 24 - 10 - 13	YES	ABST		YES		YES	YES	YES	YES	NO
June - July 2020	A/HRC/RES/44/19 HR in Belarus 22 - 5 - 20	YES	ABST		YES		YES	YES	YES	ABST	NO
	A/HRC/RES/44/21 HR in Syria 28 - 2 - 17	YES	YES		YES		YES	YES	YES	YES	NO

Source: <https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions>

From the outset, the graphic shows that the region tends to vote in favour of initiatives promoted by the EU:

- Only Bolivia, Cuba and Venezuela vote consistently against resolutions tabled or supported by the EU.
- When one of these Council members is the sole country representing the 21<sup>st</sup> Century Socialism, as was the case of Venezuela during the 44<sup>th</sup> and 45<sup>th</sup> regular sessions, the bloc will vote mostly in line with the EU, except for that country.
- Moreover, despite their closer ties with 21<sup>st</sup> Century Socialism countries, even Argentina and Mexico seem to support the European sponsored resolutions.

However, when it comes to abstentions:

- Argentina, Bahamas, Brazil, Mexico, and Uruguay avoided getting involved in resolutions regarding human rights in Belarus, Eritrea, Iran, South Sudan, and cooperation with Ukraine.
- Brazil abstained from voting on files like South Sudan or Iran and Ukraine.
- When voting on Belarus, Uruguay abstained in one session and voted "Yes" at the following session, perhaps due to the new government's swearing-in.
- These abstentions had no impact on the voting results.

On the other hand, resolutions addressing the situation of human rights in countries from the region have nuances that may require monitoring and eventual action. The case of Venezuela can illustrate these nuances. For a long time, Western democracies pointed out that any initiative on Venezuela or Nicaragua at the UNHRC should come from the region. But if the bloc is fragmented or governments swing to the 21<sup>st</sup> Century Socialism alliance, passing new resolutions or extending existing ones may prove challenging.

In 2018, Mexico, together with Peru, led discussions to ensure the first resolution on Venezuela tabled by the Lima Group countries and co-sponsored by the EU. However, in 2019, with the new government in office, Mexico abstained from voting in favour of the establishment of the FFM, and in 2020 actively opposed the extension of its mandate. For some diplomats, the reasons behind the Mexican position were two-fold: there is undoubtedly an ideological bond between the two countries, but in addition, the then Permanent Mexican Representative, Socorro Flores, was running to occupy a seat as a Judge at the International Criminal Court (ICC). Flores is currently one of the three Preliminary Judges in the case of Venezuela at the ICC25. Anecdotally, during the debate and vote on Venezuela, Ambassador Flores left the Council room.

Similarly, Argentina, Colombia, and Brazil, took an uncompromising position when negotiating the 2019 resolution on Venezuela. However, one year later, the new Argentinian government changed the country's voting position at the OAS. This signalled a closer relationship with Venezuela and created serious doubts about their vote on the extension of the FFM's mandate. Argentina finally voted in favour of the extension after being pressured through domestic debate by civil society, parliamentarians and the media.

## **4.2. Explanation of Vote**

The three Council members voting against the EU share a similar narrative among themselves and with delegations like China, Russia, Iran, or Pakistan, as shown in the extracts below. At least three concepts coincide: the politicisation of the UNHRC, internal interference, and questionable country-specific mandates.

The mandates on Chile and Equatorial Guinea made a difference. They were not cases of racism (South Africa), decolonisation or foreign occupation (Palestinian territories), but dictatorship, a problem prevailing in other countries. Both mandates were a first effort in the UN to deal with a situation on the spot with the help of fact-finding and public reporting. Soon after, the Commission adopted several country resolutions: on Afghanistan, Guatemala, Cambodia (1980); Bolivia (with Special Envoy), El Salvador (with Special Representative, 1981); on Guatemala (Special Rapporteur, 1982); on Afghanistan and Iran (Special Rapporteurs, 1984). The UN Special procedures for countries had been set-up.

## POLITICISATION OF THE UNHRC

 <b>Venezuela</b>	<p style="text-align: center;"><i>"We must avoid the politicisation of the work of this Council. No must not reedit the hateful practices of the past that led to the scrapping of the tarnished Commission of Human Rights"</i></p> <p style="text-align: center;">Explanation of Vote - Situation of human rights in Belarus in the run-up to the 2020 presidential election and in its aftermath (A/HRC/45/L.1).</p>
 <b>Cuba</b>	<p style="text-align: center;"><i>"This draft resolution demonstrates the politicisation and double standards that reign over the treatment of human rights, on top of representing a grave violation of the most basic principles of the UN Charter, especially the non-intervention in internal affairs."</i></p> <p style="text-align: center;">Explanation of Vote - Situation of Human Rights in Belarus (A/HRC/47/L.13)</p>
 <b>Bolivia</b>	<p style="text-align: center;"><i>"We don't accept using human rights as a political instrument".</i></p> <p style="text-align: center;">Explanation of Vote - Situation of Human Rights in Sri Lanka (A/HRC/46/L.1/Rev.1)</p>
 <b>Iran</b>	<p style="text-align: center;"><i>"We are concerned (...) over the instrumentalization of the Council by a few actors who see no limit against other countries they perceive as their adversaries."</i></p> <p style="text-align: center;">Country Concerned - Situation of Human Rights in the Islamic Republic of Iran (A/HRC/46/L.9)</p>

## INTERFERENCE IN INTERNAL AFFAIRS

 <b>Venezuela</b>	<p style="text-align: center;"><i>"The so called International Commission of Inquiry hasn't accomplished any progress on the situation of the country, and has demonstrated that it is an interventionist mechanism and that its reports are based on information from unverified sources and of questionable origin, they lack scientific rigor."</i></p> <p style="text-align: center;">Explanation of Vote - Situation of Human Rights in the Syrian Arab Republic (A/HRC/47/L.6)</p>
 <b>Cuba</b>	<p style="text-align: center;"><i>"The imposition of this resolution, that doesn't have the consent of the country concerned is a pointless exercise, that seeks to legitimise interventionist aims and a regime change in a sovereign country."</i></p> <p style="text-align: center;">Explanation of Vote - Situation of Human Rights in Belarus (A/HRC/47/L.13)</p>
 <b>Bolivia</b>	<p style="text-align: center;"><i>"It is possible to recover the stability of a country without any kind of intervention."</i></p> <p style="text-align: center;">Explanation of Vote - Situation of Human Rights in Sri Lanka (A/HRC/46/L.1/Rev.1)</p>

 <p>China</p>	<p><i>"The sponsors of draft resolution L. 14 ignore the efforts made by the government of Eritrea to improve and protect human rights and the progress achieved, and ignore the will of the country concerned by forcing the renewal of the mandate of the Special Rapporteur on the situation of human rights in Eritrea, thus interfering in the internal affairs of Eritrea."</i></p> <p>Explanation of Votes - Situation of Human Rights in Eritrea (A/HRC/47/L.14)</p>
 <p>Russia</p>	<p><i>"This draft resolution is biased and not aimed at improving the human rights situation in Nicaragua, but at picking the political situation in the country, and this is a blatant case of interference in the sovereign matters of the State."</i></p> <p>Explanation of Vote - Situation of Human Rights in Nicaragua (A/HRC/46/L.8)</p>

<p style="text-align: center;"><b>COUNTRY-SPECIFIC MANDATES</b></p>	
 <p>Venezuela</p>	<p><i>"We question that these mandates are used in this council as politicised instruments against sovereign countries, that do not contribute at all to improving the situation of human rights."</i></p> <p>Explanation of Vote - Situation of Human Rights in Eritrea (A/HRC/47/L.14)</p>
 <p>Cuba</p>	<p><i>"The mandates imposed through geopolitical motivations, without having the consent of the country concerned, are selective, inefficient and are destined to fail."</i></p> <p>Explanation of Vote - Situation of Human Rights in the Islamic Republic of Iran (A/HRC/46/L.9)</p>
 <p>Bolivia</p>	<p><i>"We do not support resolutions with country-specific mandates (...). They are an interventionist act".</i></p> <p>Explanation of Vote - Situation of Human Rights in Belarus (A/HRC/46/L.19)</p>
 <p>Pakistan</p>	<p><i>"Pakistan strongly believes that the perspective of concerned States should figure prominently in the Council's deliberations and decisions. The global human rights agenda is best served by consent of and consultations with the concerned State when dealing with affairs which fall exclusively within their sovereign jurisdiction."</i></p> <p>Explanation of Vote - Situation of Human Rights in the Islamic Republic of Iran (A/HRC/46/L.9)</p>

Source: UN Web TV recordings  
Content has been designed using resources from Flaticon.com

The above table illustrates what seems to be a coordinated rhetoric between 21<sup>st</sup> Century Socialism representatives and a broader international alliance. When some of these delegations are approached, they will often present these positions as part of the expected common interests from the developing world. But given that other developing

countries, while being part of the NAM, do not use the same narrative, it seems that there is more to it than simple coincidence or a general agreement from “Global South” countries. The answer to this assumption may lay elsewhere as will be explained in sub-section 4.4.

### 4.3. Voting records tabled or supported by the NAM or the “Global South”

Turning into the analysis of resolutions tabled by NAM or broader "Global South" alliances between the 44<sup>th</sup> to the 47<sup>th</sup> sessions, there is no clear-cut pattern in most of the bloc's positions, except for Argentina, Bolivia, Cuba, and Venezuela. In contrast, Mexico, Uruguay, and Brazil tend to abstain quite often. Only Brazil sometimes voted “No”, in line with the EU.

**VOTING RECORDS - 44th TO 47th SESSION**  
Resolutions sponsored by NAM and others in the Global South, opposed by European States

SESSION	RESOLUTION	ARGENTINA	BAHAMAS	BOLIVIA	BRAZIL	CUBA	CHILE	MEXICO	PERU	URUGUAY	VENEZUELA
47th	A/HRC/RES/47/9 Enhancement of Coop. 30 - 14 - 3	YES	YES	YES	ABST	YES		ABST		ABST	YES
June - July 2021	A/HRC/RES/47/10 Int. Solidarity 32 - 14 - 1	YES	YES	YES	YES	YES		ABST		YES	YES
	A/HRC/RES/47/13 Development 31 - 14 - 2	YES	ABST	YES	YES	YES		YES		YES	YES
46th	A/HRC/RES/46/5 UCMs 30 - 15 - 2	YES	YES	YES	NO	YES		ABST		YES	YES
Feb - Mar 2021	A/HRC/RES/46/8 Foreign Debt 28 - 14 - 4	YES	ABST	YES	NO	YES		ABST		YES	YES
	A/HRC/RES/46/11 Repatriation of Funds 31 - 14 - 2	YES	YES	YES	YES	YES		ABST		YES	YES
	A/HRC/RES/46/13 Mutual Cooperation 26 - 15 - 6	YES	ABST	YES	YES	YES		YES		YES	YES
	A/HRC/RES/46/24 Syrian Golan 26 - 18 - 3	YES	YES	YES	NO	YES		YES		ABST	YES
	A/HRC/RES/46/25 Palestine Self-Det. 42 - 3 - 2	YES	YES	YES	YES	YES		YES		YES	YES
45th	A/HRC/RES/45/4 Int. Dem. Order 22 - 15 - 10	YES	YES		ABST		ABST	ABST	ABST	ABST	YES
Sept - Oct 2020	A/HRC/RES/45/5 UCMs 27 - 15 - 5	YES	YES		ABST		YES	ABST	YES	ABST	YES
	A/HRC/RES/45/6 Development 27 - 13 - 7	YES	YES		ABST		ABST	ABST	YES	ABST	YES
44th	A/HRC/RES/44/11 SR on Int. Solidarity 31 - 15 - 1	YES	YES		YES		YES	ABST	YES	YES	YES
June - July 2020	A/HRC/RES/44/18 Enhancement of Coop. 30 - 15 - 2	YES	YES		ABST		YES	ABST	YES	YES	YES

Source: <https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions>

#### 4.4. LMG participation

Considered by some as a subset of the NAM, this informal group was in fact created by China in the days of the UNCHR and was resurfaced in 2011 when Libya was suspended from the UNHRC.<sup>24</sup> From what can be appreciated in the different declarations, resolutions and amendments sponsored by the LMG, its adhering members vary. However, among core members are China, Russia, Egypt, India, as the leading spokespersons, and Belarus, Pakistan, Algeria, Bolivia, Cuba, Nicaragua and Venezuela as those cosponsoring submissions and engaging the most in coordination.<sup>25</sup>

Diplomats and academic analysts observe that the group resembles the gathering of member states who despite their human rights records and standards, are often elected to sit at the UNHRC. They also consider that LMG narrative illustrates the promotion of a counter-discourse agenda closely linked to Chinese diplomacy<sup>26</sup> which has over the last 30 years consistently challenged the founding pillars of the multilateral system, particularly the common understanding of the human rights universal system. This agenda calls for engagement, cooperation and what is presented as genuine dialogue among states, over their responsibility to protect universal fundamental rights. It also includes the right to development (a construction of the Chinese developmental relativism?), and consideration to their economic, cultural and social rights as collective right over individual civil and political rights. Other LMG values include the rejection of an external vision – considered as double standards or interference in internal affairs – the denigrating of country-specific investigation mechanisms regarded as a politicisation of the UNHRC, and the promotion of universal, non-selective monitoring mechanisms,<sup>27</sup> together with technical assistance and capacity building.<sup>28</sup>

As said above, Egypt, India, Russia, and China are the LMG leading voices but not exclusively. Recently, Belarus spoke on behalf of the group to rebut a joint statement delivered by Canada on behalf of 45 countries voicing serious concerns over a wide range of violations to the Xinjiang Uyghur Autonomous Region.<sup>29</sup> Belarus spoke on behalf of 69 countries (including LAC countries Antigua and Barbuda, Bolivia, Cuba, Dominica, Grenada, Nicaragua, Suriname, and Venezuela) criticising interference by external forces and accusing the Council of politicization.<sup>30</sup>

This is yet another spiral round on the ongoing debate about deep concerns over Chinese human rights violations. Previously, in 2019, during the 41<sup>st</sup> UNHRC session,

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<sup>24</sup> [https://strausscenter.org/wp-content/uploads/strauss/18-19/RSInboden\\_AuthoritarianStates.pdf](https://strausscenter.org/wp-content/uploads/strauss/18-19/RSInboden_AuthoritarianStates.pdf)

<sup>25</sup> *ibid.*

<sup>26</sup> Podjarny, Ezequiel, 2021, 'Why does the Spiral Model of Change in Human Rights fail to explain Venezuela's backslide in compliance of human rights norms?', unpublished Master's dissertation, London School of Economics and Political Science.

<sup>27</sup> One of the most known examples for a non-selective monitoring mechanism is the Universal Periodic Review (UPR). Although it is widely accepted by most states, its design reflects the strong influence of China on the negotiation process that led to the creation of the UNHRC: "The making of the UPR, the UNHRC's flagship mechanism, as a state-led, general, open-ended and non-condemnatory process, which allows only very limited NGO participation in its proceedings, clearly reflects China's interests." See Yongjin Zhang\* and Barry Buzant. 'China and the Global Reach of Human Rights', n.d. Accessed 29 November 2021.

<sup>28</sup> Yongjin Zhang\* and Barry Buzant. 'China and the Global Reach of Human Rights', n.d. Accessed 29 November 2021.

<sup>29</sup> Government of the United Kingdom, 22 June 2021, <https://www.gov.uk/government/news/un-human-rights-council-47-joint-statement-on-the-human-rights-situation-in-xinjiang>

<sup>30</sup> 'Joint Statement of 69 Countries at the Interactive Dialogue on High Commissioner's Annual Report at the 47th Session of the Human Rights Council'. Accessed 28 November 2021. <https://www.mfa.gov.cn/ce/cegv//eng/dbdt/t1886467.htm>.

China delivered a statement on behalf of the LMG in support of China’s measures towards Xinjiang and condemning unfounded charges against it from relevant member states, referring to the joint letter from Western democracies.<sup>31</sup> In 2020, both, Belarus and Cuba delivered the group’s message in support of China’s actions.<sup>32</sup>

The debate has been creating a member-polarising effect. Every year more countries are added to the list of co-sponsors on either side, and although the response of LAC countries to violations in China has so far remained varied, attention should be placed on the overwhelming neutrality, especially by the major players in the region that choose to remain silent when the target is China (Argentina, Bahamas, Brazil, Chile, Mexico and Uruguay). Only a small group of states (Belize, Haiti and Honduras) joined Western countries in their statement condemning Chinese policy in Xinjiang.

It is also worth noting that, increasingly, the LMG is creating non-substantive and defiant declarations, and tabling thematic resolutions and amendments that seek to block, weaken, dilute, or alter draft resolutions tabled, co-sponsored or supported by the EU. And although when voted they do not necessarily have the LMG’s desired results, it is becoming a widespread practice that jeopardizes the work of the Council. Meanwhile, China as a major game changer is impacting the normative reasoning around human rights global governance issues “to align the interpretation and understanding of international human rights closely with China’s dominant social and political norms and strategic and economic priorities”<sup>33</sup> while diverting the focus to a political debate.

LAC countries may be – inadvertently or not – contributing to this practice. The graph below shows voting results and positions from LAC members to resolutions and amendments to EU promoted, co-sponsored or supported resolutions during the 44<sup>th</sup> until the 47<sup>th</sup> regular session of the Council. All were tabled by China on behalf of the LMG.

**VOTING RECORDS - 44th TO 47th SESSION**  
*Resolutions tabled by China*

SESSION	RESOLUTION	ARGENTINA	BAHAMAS	BOLIVIA	BRAZIL	CUBA	CHILE	MEXICO	PERU	URUGUAY	VENEZUELA
47th	A/HRC/RES/47/11 Development & HR 31 - 14 - 2	YES	ABST	YES	YES	YES		YES		YES	YES
June - July 2021	A/HRC/47/L.30 Amendment on Tigray 14 - 19 - 14	NO	ABST	YES	NO	YES		NO		NO	YES
	A/HRC/47/L.31 Amendment on Tigray 18 - 18 - 11	YES	ABST	YES	NO	YES		NO		NO	YES
	A/HRC/47/L.32 Amendment on Tigray 13 - 20 - 14	NO	ABST	YES	NO	YES		NO		NO	YES
	A/HRC/47/L.66 Amendment on Tigray 12 - 21 - 14	NO	ABST	YES	NO	YES		NO		NO	YES
	A/HRC/47/L.68 Amendment on Tigray 14 - 20 - 13	NO	ABST	YES	NO	YES		NO		NO	YES

Source: <https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions>

<sup>31</sup> United Nations, Human Rights Council, Joint Letter A/HRC/41/G/17, 9 August 2019.

<sup>32</sup> See <https://www.kas.de/en/web/multilateraler-dialog-genf/map-of-the-month/detail/-/content/criticism-and-support-for-china-in-the-human-rights-council>

<sup>33</sup> Yongjin Zhang\* and Barry Buzant. Op.cit. pg 180.

Though in some ways similar, the pattern differs from the NAM-tabled resolutions.

- Three member states, Bolivia, Cuba and Venezuela give their full support to these resolutions.
- When the resolution is thematic, all LAC Council members except for Bahamas voted in favour.
- When the resolution refers to an amendment, most countries will vote against it, in line with the EU, except for one case in which Argentina voted “Yes” with regard to one of the proposed amendments to the draft resolution on the Tigray region.

## 5. Conclusions, Future Lines of Action and Recommendations

In general, it can be affirmed that GRULAC countries have a voting pattern that changes as they swing in the political spectrum. This means that although the bloc is currently mostly aligned with the EU and other democratic members at the UNHRC, this may change if 21<sup>st</sup> Century Socialism continues to expand, and as China consolidates its position as the region’s preferred partner. In 2021, none of the LAC countries except for Haiti and Honduras signed to the joint statement on the human rights situation in China delivered by the Canadian Ambassador whilst several did co-sponsor that of Belarus. This should not be taken lightly, as it depicts the region’s close or cautious relationship with China – regardless of whether it is ideological or commercial.

Three LAC 21<sup>st</sup> Century Socialism regimes are currently part of the UNHRC, and two of the more significant GRULAC Council members, Argentina, and Mexico, are part of their broader alliance. In addition, Brazil's elections in 2022 may again bring that country close to Cuba, Bolivia and Venezuela; and a new associate, Peru, may be part of the UNHRC in 2024. At some point, at least six of the eight members will be aligning and may be prone to coordinate actions against the interests of the EU and its democratic partners which may result in preventing further monitoring of human rights violations and accountability for Nicaragua and Venezuela, currently under examination. Furthermore, in cases like Cuba, where there has been no reporting since before the creation of the UNHRC,<sup>34</sup> such a scenario will make the passing of a resolution condemning state repression during protests or other human rights violations very unlikely.

To overcome the current trend translating into a more unfriendly environment for the EU and its democratic partners, this group of countries have a role to play in the designing of coordinated lines of action.

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<sup>34</sup> The UNHRC has never adopted a resolution on Cuba. Last one dates from 2005: ‘Human Rights Documents’. Accessed 20 September 2021. [https://ap.ohchr.org/documents/sdpage\\_e.aspx?b=1&c=47&t=11](https://ap.ohchr.org/documents/sdpage_e.aspx?b=1&c=47&t=11).

Below are provided some suggestions for debate and further discussion:

1. In addition, promoting a closer relationship with the LAC economies is crucial, even more so in the current geopolitical context. Though the region has been on the EU's agenda as well as some of its partners, little happens beyond rhetoric and high-level meetings. And while the EU and the US remain the most relevant FDI providers, this may not be for long when considered the recent past environment, where China developed both an aggressive vaccine diplomacy and an increased economic presence in the region. With LAC exports to China soaring, thus leveraging from a relationship that puts them at a different stance towards the EU and the US, the current scenario calls for a renewed and engaged approach. Therefore, some substantive moves need to take place, and Geneva can be the appropriate environment for increased engagement and some cooperation activities.
2. Members should promote a general debate at the UNHRC focusing on the ground rules for Council membership. Members should also reinforce the UNHRC's technical role in monitoring compliance of the different covenants, treaties, agreements and periodic reviews, and should continue working to guarantee the adoption of accountability mechanisms, like independent investigations. EU, Canada, US and other partners should develop closer ties and bring on board bigger members like Argentina, Brazil and Mexico.
3. Strong world democracies might want to consider aiming at an increased international debate as part of a broader effort to raise awareness about the rising number of autocratic governments worldwide and its impact on human rights.
4. A look back at the Chavez – Kirchner – Lula period may be needed to better understand the relationship with China and other LMG members, including Russia, and to understand patterns that might resurface shortly.

Lastly, as the world seems to drift away from a multilateral ruled-based order into a more fragmented one – yet to be fully defined – it is crucial to maintain high standards in the promotion and protection of human rights, together with democratic values worldwide. In the UNHRC context, this translates into a more technical Council, a Secretariat aligned with such interests and a close monitoring to the UNHRC's structure, clockworks and voting system.